

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEVIN WYATT,  
Petitioner,

v.

DAVID DIGUGLIELMO, *et. al.*,  
Respondents.

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CIVIL ACTION  
  
NO. 08-614

**Order**

**AND NOW** on this 28<sup>th</sup> day of May 2009, upon careful consideration of petitioner Kevin Wyatt's habeas corpus petition pursuant to 28 U.S.C. § 2254 (Doc. No. 1), petitioner's memorandum of law in support thereof, respondents' response thereto and supplement to that response, and petitioner's traverse and supplemental pleading, **IT IS HEREBY ORDERED** that:

- (1) This case shall be placed on the civil suspense docket pending the Pennsylvania Supreme Court's consideration of petitioner's sentencing calculation claim;
- (2) The Clerk shall **CLOSE** this case for statistical purposes; and
- (3) Within thirty days of the conclusion of the Pennsylvania Supreme Court's review of Wyatt's sentencing credit claim, Wyatt and the respondents shall notify this court that those proceedings are concluded and the case is ready to proceed in this court.

s/ William H. Yohn Jr., Judge  
William H. Yohn Jr., Judge